



The State of New Hampshire
Department of Environmental Services



Michael P. Nolin
Commissioner

Mr. Raymond Kelley
Hampton Harbor Motel
210 Ashworth Ave
Hampton, New Hampshire 03842

LETTER OF DEFICIENCY
WMB PBP 06-007
July 14, 2006

Dear Mr. Kelley:

The Department of Environmental Services, Water Division ("DES") is required by RSA 485-A:26 to operate a program to ensure the health and safety of the public when using public bathing facilities such as pools and spas. To implement this program, DES has adopted administrative rules Env-Wq 1100 to specify the design, operation, and maintenance requirements for public bathing facilities. DES reviews applications for new public bathing facilities and also inspects and tests the water in existing public bathing facilities to ensure that applicable requirements are being met.

On July 5, 2006, DES inspected the pool at the Hampton Harbor Motel in Hampton, NH ("the Pool").

During this inspection, the following deficiencies were noted:

1. A recommendation to close the Pool was issued on July 5, 2006. The inspection on July 5, 2006 revealed that the Pool was in violation of Env-Wq 1105.10 and unsafe for public use. The following bacterial violations were observed in the Pool water:
 - a. Pursuant to Env-Wq 1105.10(a)(1) the maximum allowable concentration of total coliform bacteria and *Escherichia coli* in public bathing facility water is zero counts per one hundred milliliters (0CTS/100mL). The Pool water contained greater than 40 CTS/100mL of total coliform bacteria.
 - b. Pursuant to Env-Wq 1105.10(a)(2) the maximum allowable concentration of non-coliform bacteria in public bathing facility water is two hundred counts per one hundred milliliters (200 CTS/100mL). The Pool water contained greater than 200 CTS/100mL.
2. Env-Wq 1105.10(b)(6a) requires a free residual chlorine concentration between 1.0 mg/L and 5.0 mg/L in public pool water. The free chlorine residual of the Outdoor Pool water was less than 0.1 mg/L.
3. Env-Wq 1105.10(b)(11) requires that Total Alkalinity shall be 60-180 mg/L in a public Pool. The Total Alkalinity of the Pool water was approximately 40 mg/L on July 5, 2006.
4. Env-Wq 1105.10(b)(1) requires a pH between 7.0 and 7.8 in public pool water. The pH of the Pool water was 6.9 on July 5, 2006.
5. Pursuant to Env-Wq 1104.03(c), signs shall provide the location of the nearest telephone. The location of the nearest telephone was not posted at the Pool at the time of the inspection. It is recommended that the name of the establishment and the physical address be posted within the pool area.
6. Env-Wq 1105.15(a) states that the owner of a public bathing facility shall plainly and conspicuously mark the depth of water in feet at or above the waterline on the vertical wall of the public bathing facility and on the top of the coping or edge of the deck or walk next to the public bathing facility. The depth of the Pool was not marked on the deck of the Pool.

Pursuant to Env-Wq 1106.03(b)(6), suction outlets shall be provided with an anti-entrapment cover that complies with ASME/ANSI A112.19.8M, a 12 inch by 12 inch or larger grate which allows a maximum flow rate not to exceed 1.5 feet per second, Alternate designs or means for covering the outlet that produce equivalent protection against user entrapment. The Pool does not have an anti-entrapment cover that complies with ASME/ANSI A112.19.8M.

P.O. Box 95, 29 Hazen Drive, Concord, New Hampshire 03302-0095

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DES Web site: www.des.nh.gov

Pursuant to Env-Wq 1106.03(b)(7), if a pool installed prior to July 28, 1997 and approved by the department has a single suction outlet or multiple suction outlets that can be isolated by valves, each suction outlet shall be protected by a safety vacuum release system that complies with ASME/ANSI A112.19.17, published 2002. The Pool does not have a safety vacuum release system.

Please note that a safety vacuum release system will be required by 2010.

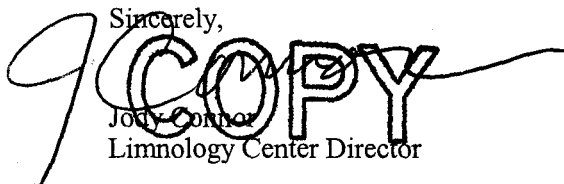
The installation of the safety vacuum release system will minimize the possibility of injury or drowning accidents due to suction entrapment.

DES believes the cited deficiencies can be corrected within 30 days and requests that you submit a report within 45 days of receipt of this letter that describes the corrective measures taken. The report should include the following:

1. A copy of two weeks of water quality test results for all facilities (please do not send originals).
2. The type, manufacture, and model of the chlorine feeder to be installed.
3. A timetable of when:
 - a. the sign indicating the location of the nearest telephone will be in place;
 - b. the depth will be marked on the deck; and
 - c. the installation of the anti-entrapment cover will be completed.

DES personnel will conduct another inspection at a later date to determine whether you have come into, and are maintaining, full compliance with RSA 485-A:26 and Env-Wq 1101-1105. After a violation of Env-Wq 1105.10(a)-(d), the facility will be required to pass two inspections in the following months. In the event that compliance is not achieved, DES may take further action, including seeking an administrative fine up to \$2,000 for each offense or referring the case to the NH Attorney General's Office for judicial action.

We appreciate your cooperation in this matter. Please contact Tim Wilson at (603) 271-7108 if you have any questions regarding this letter. Copies of Env-Wq 1101-1110 are available through the DES Public Information Center at (603) 271-2975 or via the Internet at <http://www.des.nh.gov/Pools/>

Sincerely,

Jody Connor
Limnology Center Director

Certified Mail # 7000 1670 0000 0587 7323

cc: ✓ Gretchen R. Hamel, Legal Unit Administrator, DES
Kevin Schultz, Health Officer, Town of Hampton